

STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

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In the Matter of License 5286 (Application 15213)  
John Pol Philon

**ORDER REVOKING LICENSE**

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SOURCE: Unnamed Spring tributary to Hayfork Creek thence South Fork Trinity River  
COUNTY: Trinity River

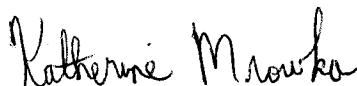
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**WHEREAS:**

1. A letter dated November 9, 2005 has been received from the Licensee, requesting revocation of the license by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
2. The Division interprets the Licensee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1675 through 1675.2.

**Therefore, it is ordered** that License 5286 is hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.

STATE WATER RESOURCES CONTROL BOARD

*for*   
Victoria A. Whitney, Chief  
Division of Water Rights

Dated: **MAR 15 2006**



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15213

PERMIT 9530

LICENSE 5286

THIS IS TO CERTIFY, That

Walter S. Miner and Nora B. Miner  
Hayfork, California

Notice of Assignment (Over)

have made proof as of June 20, 1957  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
an unnamed spring in Trinity County  
tributary to Hayfork River

for the purpose of domestic and irrigation uses  
under Permit 9530 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from March 2, 1953  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed four thousand (4000) gallons  
per day to be diverted from about May 15 to about October 10 of each year for  
irrigation and throughout the year as required for domestic use.

The equivalent of such continuous flow allowance for any thirty-day period may  
be diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located:  
South eight hundred ninety (890) feet and east one hundred eighty-six (186) feet from  
W $\frac{1}{4}$  corner of Section 20, T3N, R7E, HB&M, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 20.

A description of the lands or the place where such water is put to beneficial use is as follows:  
1 acre within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 20, T3N, R7E, HB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

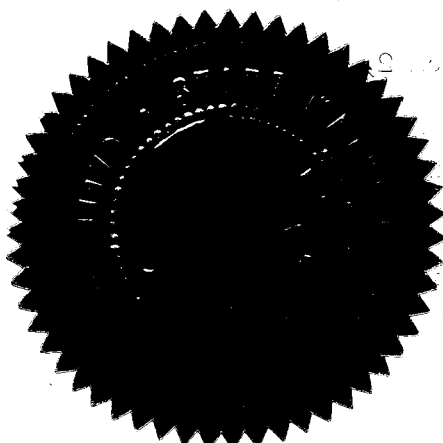
The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

- Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.
- Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).
- Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.
- Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.
- Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).
- Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.
- Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUL 15 1958

L. K. Hill  
L. K. Hill  
Executive Officer



3-10-64 RECEIVED NOTICE OF ASSIGNMENT TO John Paul Phelon

LICENSE 5286  
STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Walter S. Miner and  
Nora B. Miner  
DATED JUL 15 1958